



**Ninety-Ninth Legislature - First Session - 2005**  
**Revised Committee Statement**  
**LB 130**

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**Hearing Date:** February 9, 2005

**Committee On:** Judiciary

**Introducer(s):** (Brown, Chambers)

**Title:** Change discriminatory housing practice complaint procedure and information

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**Roll Call Vote – Final Committee Action:**

Advanced to General File

X Advanced to General File with Amendments

Indefinitely Postponed

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**Vote Results:**

5	Yes	Senators Aguilar, Bourne, Chambers, Combs, Flood
	No	
2	Present, not voting	Senators Foley, Friend
1	Absent	Senator Pedersen

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**Proponents:**

Senator Pam Brown  
Timothy Butz  
Lend Frison  
Korby Gilbertson

**Representing:**

Introducing  
ACLU Nebraska  
Nebraska Equal Opportunity Commission  
Nebraska Realtors Association

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

Legislative Bill 130 strikes language in Nebraska Revised Statute 20-326 that was added last year via the passage of LB 625, relating to housing discrimination complaint procedures. The language that was added to Nebraska laws effectively put the Nebraska Equal Opportunity Commission out of compliance with federal requirements and has resulted in the Commission's ineligibility for a federal housing discrimination contract. Because of some issues surrounding the question of federal funding, the 98<sup>th</sup> Legislature, Second Session, put an operative date of October 2005 on the legislation.

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Legislative Bill 130 effectively repeals the language that was added last year and will result in the Commission again being in compliance for federal funding.

There is an emergency clause on LB 130.

**Explanation of amendments, if any:**

The committee amendment to LB 130 brings the Nebraska Fair Housing Act into compliance with the U.S. Department of Housing and Urban Development (H.U.D.) guidelines. The amendment exempts from public release all records compiled in the course of conciliation activities related to housing discrimination investigations. The amendment also limits access to information derived from an investigation until after the investigation is completed. Current law allows the aggrieved party or respondent access to these records at any time. Any information released is subject to the Federal Privacy Act of 1974, Public Law 93-579, as amended and any other federal or state law limiting the release of confidential information.

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**Senator Patrick J. Bourne, Chairperson**